

Sullivan County NH

Type of meeting: Board of Commissioners Public Meeting Minutes
Date/Time: Tuesday, March 18, 2008; 3 PM
Place: Unity County Complex – 5 Nursing Home Drive, Sullivan County Health Care Facility, Recreation Room.

Attendees: Commissioners Jeffrey Barrette – *Chair*, Bennie Nelson – *Vice Chair*, Ethel Jarvis – *Clerk*; Bard Flanders – *Unity Conservation Commission Member*; Ted Purdy – *S.C.H.C. Administrator*; Dr. Sameer Chinoy – *S.C.H.C. Medical Director*; High County Sheriff Michael Prozzo; Ross Cunningham – *DOC Superintendent*; Heather Presch – *Facilities & Operations Assistant Director*, and Sharon Johnson-Callum (minute taker).

Other attendees: Aaron Aldridge – *Eagle Times Reporter*

3:00 The Chair, Jeffrey Barrette, brought the meeting to order. Mr. Cunningham led the *Pledge of Allegiance*.

Agenda Item No.1 Judkin's Property Conservation Easement Update

Mr. Bard Flanders noted they [Unity Conservation Commission] are still collecting funds, with almost all collected. They applied to NH State Fish & Game for a grant and received an e-mail noting the following contingencies that should be included in the document: hunting, fishing & trapping, and stocking of pheasants. He noted the Unity Conservation Commission debated the issue with NH State F&G, and F & G ultimately settled for including just hunting / trapping and fishing, page 4 section H. Mr. Flanders confirmed, per current laws, trappers must attain written permits; and noted the draft before them [Appendix A] goes back to the original approved by the Delegation. Commissioner Jarvis noted Page 8 requires the specific dates the Delegation & Board approved and accepted the easement; she briefed them on the history. Commissioner Nelson thinks the Board approved the easement with dropping the "right of first refusal" from Page 8. Mr. Flanders confirmed this was correct, but when they reverted to the original, it required the right of first refusal to be included. The group debated the "right of first refusal" wording in the document. Due to questions regarding the amounts being transferred, Mr. Flanders noted the Board agreed on \$20,000, SPNF is between 3 and 4 thousand dollars. Commissioner Jarvis requested to view all accounting when Mr. Flanders was done. Mr. Flanders concurred the Unity Conservation Commission collected \$19,500; they originally were to collect \$43,000 and a separate \$12,000 for SPNF, but failed to get to that plateau, so came back before the Board, who agreed upon \$20,000 and changing the primary back to the Town of Unity, with secondary as SPNF; this reverted the easement back to the original. With the primary/secondary change, SPNF fees decreased from \$12,000 to \$3 to \$4,000. Mr. Flanders confirmed all pledges were returned from SPNF to the Conservation Commission. Commissioner Barrette requested Mr. Flanders return to the next month Board meeting with a firm dollar amount of what has been collected. Commissioner Jarvis concurred they need exact finances. Commissioner Nelson started to make a motion, but did not finish and more debate continued on the right of first refusal statement.

3:23 Commissioner Nelson moved they execute the conservation easement presented before them with the exception of Item No. 13. Discussion: Mr. Flanders noted the Town of Unity is responsible for monitoring the property, "should it go up for sell to anyone who wants to contest the easement, then it would be a burden to the town and that wording in there would help". Commissioner Nelson noted it was simpler without it. Commissioner Jarvis seconded the motion. Discussion continued ... Commissioner Jarvis and Mr. Flanders confirmed Marc Hathaway viewed the document. A role call vote was taken. All three Commissioners approved the motion. Accordingly, the motion passed.

Mr. Flanders confirmed once the wording was corrected on the document, it would go before SPNF and they would e-mail the document to Ms. Johnson-Callum to ready for Board signatures, who will sign it when the funds are received.

Agenda Item No. 3. Sullivan County Health Care Administrator Report

New Medical Director

Mr. Purdy introduced Dr. Sameer Chinoy, the new Sullivan County Health Care Medical Director, to the Board.

3:30 Dr. Chinoy left the room.

Agenda Item No. 3.a. Census

Board reviewed the data reports [Appendix B.1-7] as follows:

- ☐ *Summary Admission / Discharge List 2/1/2008 – 2/29/2008*
- ☐ *Summary Admission / Discharge List Totals 2/1/2008 – 2/29/2008*
- ☐ *Summary Admission / Discharge List from 7/1/2007 – 2/29/2008*
- ☐ *Summary Admission / Discharge List Totals from 7/1/2007 – 2/29/08*
- ☐ *February 2008 Medicare, Private, Medicaid and HCBC census/revenue and average rate per day – Medicare average is 12, where as budgeted is 19; however, the positive – the Medicare rate is higher due to more skilled therapy and also meeting high medical needs. Private average and budgeted equaled 20, but exceeded this month. Though there is a new decreased Medicaid rate, they are still above budget here.*
- ☐ *Sullivan County Nursing Home Quarterly Resident Census by month and quarter from 7/2007 to current date - Medicaid holding steady; Private days reflect increase from January to February; Private census YTD is 17.3, while last year was 19. Skilled days, Oct – Dec showed greatest 10-12%; we are bit below that in Jan/Feb. Had more long-term care admissions, compared to previous months. 85% - 90% admissions come from hospitals.*
- ☐ *Medicare Length Of Stay Analysis – shows revenues, Medicare length of stay. For last five months from Oct – February saw higher level f skilled services*

They found the codes FH stood for Funeral Home and are changing the software records to reflect it as "expired" with rest of discharges.

Agenda Item No. 3.b. Staffing

External Care Coordinator - Mr. Purdy confirmed he offered the position to a person with long term care and assisted living experience; if all goes well, they'll begin mid April.

Administrative Assistant – the new person will begin in a couple of weeks.

Hiring is slow, but received no terminations for LNA's in February, just one new hire. They have a 48% turn over of LNA's, would like to have less, but a lot of facilities have seen 75-80%. With increased acuity, staff is holding up well. Staffing model reflects acuity level on each of the floors and they adjust accordingly, when needed.

Finances

\$825,000 under budget year to date

Public Relations

Mr. Purdy met with several hospital facilities, most recently, with Valley Region, Clare Bowen, to discuss their relationship; and with New London Hospital.

Upcoming events

Nursing home week occurs in May [May 11th – 17th] and they will be holding an open house and highlight the therapy team. June 8th is the Pancake Breakfast and they will take advantage of that event to show people what the facility can offer.

Agenda Item No. 2 DOC Superintendents Report

Staffing

THU Community Correctional Officer, Kenneth Howard, submitted his resignation. He's relocating to Maryland and today is his last day. They will be posting internally, first, and then outside if they receive no eligible candidates. In the meantime, they are shifting to accommodate for the unfilled position. With the recent DOC press coverage, they received an increase in applications, receiving eight applications to date.

Population Data

[Appendix C] sheet was handed out and is as follows:

HOC population includes 43 males and 6 females

Pretrial includes 35 males and 7 females

Protective custody has just 1 male

THU population 16 – Mr. Cunningham noted they are "8 deep" for those inmates waiting to participate in the THU

TOTAL Population In House is 92

Home Confinement population includes 4 males and 2 females

Weekenders include 1 male

The following facilities house inmates from our County:

NH State prison 3 males and 2 females

Hillsborough has 4 males, and 1 not reflected on the report

Grafton has 2 males

Cheshire has 1 male and 1 female

Phoenix House has 1 female

Friendship House/First Step has 1 male and 1 female
TOTAL Population Under Supervision: 115

Pretrial services currently has 32 [15 males and 17 females] – Mr. Cunningham noted the pretrial services piece is very staff intensive and they only have three (3) staff performing these duties, which include: urine checks, monitoring and assessing daily; plus, pretty much every other week, staff officers are called in for court appearances.

DOC operations/software - State of New Hampshire Strategic Plan for the Justice One Network Environment (J-One)

Mr. Cunningham noted the J-One [Appendix D] was a “hallway of information” exchange project for NH justice system - a ten-year project, shelved at one point, which is now being rekindled by a UNH man. He noted this program was mandated by the State so questioned why users need to pay a \$4,500 fee? Due to his questioning, though they have not made a formal long-term commitment, he was able to bargain SPOTS terminal software, a free new computer, and a waiver of the fee for a one-year period.

Communications will be more open between the State and justice system and as Mr. Cunningham was able to walk through the arguments, this will help the County down the line with inmate software. He noted, Sullivan DOC is the only county that does not have the system; DSI, is one of the telephone vendors that the State uses.

Community Corrections Facility Update

Mr. Cunningham is still waiting to hear from Delegation Chair Franklin regarding the Delegate’s next meeting date; plus, from Rep. Converse regarding the meeting at the Claremont Bourdon Center. Mr. Cunningham noted he’d be e-mailing the Board regarding the size of the facility.

Inmate Issues

They have a few young offenders in Unit 3 giving them a “run for their money”.

Agenda Item No. 4. Commissioners’ Report

☐ Do formal county manager appointment

It was noted there was no formal appointment made appointing Greg Chanis as Interim County Manager; the Office is receiving inquiries for formal documentation notes. The Board discussed title choices, which Commissioner Jarvis noted might be changed in June. They decided on “Administrator”.

4:01 Commissioner Nelson moved to appoint Mr. Chanis as “Interim County Administrator”. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

Agenda Item No. 5 Public Participation

There was no public participation.

Commissioner Nelson noted the UNH County Conversation event had a nice crowd, nice presentation and dialogue; four Delegates attended, 1 State Senator, and five Executive Council; Grafton County approved their new jail but are heading to court on the vote.

FY 07 County Annual Report Update

Ms. Johnson-Callum noted, in light of the final audit arriving, the report was compiled with the audit and a RFQ sent last week to 4-5 different printers requesting cost quotes for 166 pages. The FY 07 budget notes show "\$800" budgeted for the report, however, as they ran out of reports last year, Ms. Johnson-Callum requested quote for more this year. The format [5.5 X 8.4] with wire to accommodate this many pages will remain the same. The one quote they have received is over that amount, but the amount is part of the Commissioners Office Marketing/Advertising line \$2,000 budget, which \$400+ has been used, of which \$300+ is expected to be reimbursed by CDFA, as it pertains to CDBG ads. Ms. Johnson-Callum will wait until the end of the week for quotes, and then go with the least expensive. The Board noted they'd like to see the job printed within county borders, even if the cost is within 20% more than the others.

Newport 3rd Floor Probate Court Heating Unit Update

Ms. Johnson-Callum noted the quote to replace the entire Heating Unit came in below the maximum they allowed; around \$5,000+, and that Ms. Presch had the exact information. She noted Economy was in Newport and she believes they were removing the old unit, but would not be installing the new one for a couple weeks.

Agenda Item No. 6. Meeting Minutes Review

Agenda Item No. 6.a. March 4, 2008 Public Meeting Minutes

- 4:10 Commissioner Jarvis moved to accept the Board of Commissioners regular business meeting for March 4, 2008 3 PM in Newport. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

Agenda Item No. 6.b. March 4, 2008 Executive Session Minutes

- 4:11 Commissioner Nelson moved to approve and release the March 4, 2008 Executive Session minutes. Commissioner Jarvis seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

Agenda Item No. 6.c. March 11, 2008 Executive Session Minutes

- 4:13 Commissioner Jarvis moved to accept the minutes and recommend they be kept sealed permanently. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

Agenda Item No. 6.d. March 11, 2008 4:40 PM Special Meeting

Commissioner Jarvis noted the word "their" should be "there" on Page 2 in the DOC staffing section; plus "Boarden" should be "Bourdin" [correct spelling is "Bourdon"].

- 4:15 Commissioner Jarvis moved, with these corrections, to accept the special public meeting minutes of March 11, 2008. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

4:15 Commissioner Jarvis moved to adjourn the meeting. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

Respectfully submitted,


Ethel Jarvis, Clerk
Board of Commissioners

EJ/s.j-c.

Date signed: April 1, 2008



Sullivan County NH, Board of Commissioners Business Meeting
AGENDA

REGULAR BUSINESS MEETING

Tuesday, March 18, 2008, Time 3 PM

Place: UNITY Complex,
Sullivan County Health Care Facility, 5 Nursing Home Drive Unity NH

- | | | |
|--------------------------|-----------|--|
| 3:00 PM – 3:20 PM | 1. | Judkin's Property: Proposed Conservation Easement Update, Bard Flanders |
| 3:20 PM – 3:40 PM | 2. | D.O.C. Superintendent Report
a. Census
b. Staffing
c. Project review |
| 3:40 PM – 4:00 PM | 3. | Sullivan County Health Care Administrator Report
a. Census
b. Staffing |
| 4:00 PM – 4:20 PM | 4. | Commissioners' Report
<input type="checkbox"/> Do formal County Manager appointment |
| 4:20 PM – 4:35 PM | 5. | Public Participation |
| 4:35 PM – 4:40 PM | 6. | Meeting Minutes Review
a. Mar. 4, 2008 Public Meeting Minutes
b. Mar. 4, 2008 Executive Session
c. Mar. 11, 2008 Public/Executive Session Personnel Hearing
Per RSA 91-A:3.II. A. & C. Minutes
d. Mar. 11, 2008 Special Public Meeting Minutes |
| 4:40 PM | 7. | Adjourn meeting. |

Upcoming Events/Meetings:

- **Mar. 18th Tue. Next Board of Commissioners Meeting.**
 - **Time: 3 PM.** Place: Remington Woodhull County/State Complex, 14 Main Street, Newport NH - Commissioners' Conference Room.
- **Mar. 20th Thu. Greater Sullivan County All Health Hazard Region Committee Meeting.**
 - **Time: 9:30 AM.** Place: Newport – 14 Main Street. Room TBA.

CONSERVATION EASEMENT DEED

THE COUNTY OF SULLIVAN, a municipal corporation, with offices at 14 Main St., Town of Newport, County of Sullivan, State of New Hampshire, (hereinafter referred to as the "Grantor", which word where the context requires includes the plural and shall, unless the context clearly indicates otherwise, include the Grantor's executors, administrators, legal representatives, devisees, heirs, successors and assigns),

for consideration paid, with WARRANTY covenants, grants in perpetuity to

TOWN OF UNITY, a municipal corporation, with offices at 13 Center Rd. Unit 7 Town of Unity, County of Sullivan, State of New Hampshire 03603, (hereinafter referred to as the "Grantee" which shall, unless the context clearly indicates otherwise, include the Grantee's successors and assigns),

the Conservation Easement (herein referred to as the "Easement") hereinafter described with respect to that certain parcel of land (herein referred to as the "Property") being unimproved land situated on Judkins Road in the Town of Unity, County of Sullivan, State of New Hampshire, more particularly bounded and described in Appendix "A" attached hereto and made a part hereof.

and also grants an Executory Interest therein to **SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS**, a corporation duly organized and existing under the laws of the State of New Hampshire, with a principal place of business at 54 Portsmouth Street, City of Concord, County of Merrimack, State of New Hampshire, 03301, (hereinafter referred to as the "Executory Interest Holder"), as more fully described in the Section below entitled "Executory Interest."

1. PURPOSES

The Easement hereby granted is pursuant to NH RSA 477:45-47, exclusively for the following conservation purposes:

- A. The protection and conservation of open spaces, particularly the conservation of the approximately 258.4 acres of productive farm and/or forest land of which the Property consists, and the long-term protection of the Property's capacity to produce economically

valuable agricultural and forestry products; and

- B. The protection of the undeveloped road frontage along Judkins Road for the scenic enjoyment of the general public; and
- C. The protection of natural habitats of plants and animal species native to New Hampshire; and
- D. The protection of the land subject to the Easement granted hereby for outdoor recreation by and/or the education of the general public.

The above purposes are consistent with the clearly delineated open space conservation goals and/or objectives as stated in the Revised 1996 Master Plan of the Town of Unity, which states

"Encourage deed restrictions and conservation agreements to protect agricultural land," and "Protect and preserve Unity's scenic views,"

and with New Hampshire RSA Chapter 79-A which states:

"It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, maintaining the character of the state's landscape, and conserving the land, water, forest, agricultural and wildlife resources."

All of these purposes are consistent and in accordance with the U.S. Internal Revenue Code, Section 170(h).

The Easement hereby granted with respect to the Property is as follows:

- 2. USE LIMITATIONS (Subject to the reserved right specified in Section 3 below)
 - A. The Property shall be maintained in perpetuity as open space without there being conducted thereon any industrial or commercial activities, except agriculture and forestry, including timber harvesting, as described below, and provided that the productive capacity of the Property to produce forest and/or agricultural crops shall not be degraded by on-site activities.
 - i. For the purposes hereof, "agriculture" and "forestry" shall include animal husbandry, floriculture, and horticulture activities; the production of plant and animal products for domestic or commercial purposes; the growing, stocking, cutting, and sale of Christmas trees or forest trees of any size capable of producing timber or other forest products; the construction of roads or other access ways for the purpose of removing forest products from the Property; and the processing and sale of products produced on the Property (such as pick-your-own fruits and vegetables and maple syrup), all as not detrimental to the purposes of this Easement.

- ii. Agriculture and forestry on the Property shall be performed, to the extent reasonably practicable, in accordance with a coordinated management plan for the sites and soils of the Property. Forestry and agricultural management activities shall be in accordance with the then current scientifically based practices recommended by the University of New Hampshire Cooperative Extension, U.S. Natural Resources Conservation Service, or other government or private, nonprofit natural resource conservation and management agencies then active. Management activities shall not materially impair the scenic quality of the Property as viewed from public waterways, great ponds, public roads, or public trails.
- B. The Property shall not be subdivided and none of the individual tracts, which together comprise the Property, shall be conveyed separately from one another.
- C. No structure or improvement, including, but not limited to, a dwelling, any portion of a septic system, tennis court, swimming pool, dock, aircraft landing strip, tower or mobile home, shall be constructed, placed, or introduced onto the Property. However, ancillary structures and improvements including, but not limited to, a road, dam, fence, bridge, culvert, barn, maple sugar house, or shed may be constructed, placed, or introduced onto the Property only as necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property and provided that they are not detrimental to the purposes of this Easement.
- D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:
- i. are commonly necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property; and
 - ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and
 - iii. are not detrimental to the purposes of this Easement.

Prior to commencement of any such activities, all necessary federal, state, local, and other governmental permits and approvals shall be secured.

- E. No outdoor advertising structures such as signs and billboards shall be displayed on the Property except as desirable or necessary in the accomplishment of the agricultural, forestry, conservation, or noncommercial outdoor recreational uses of the Property, and

provided such signs are not detrimental to the purposes of this Easement.

- F. There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials on the Property, except in connection with any improvements made pursuant to the provisions of sections 2.A., C., D., or E., above. No such rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property.
- G. There shall be no dumping, injection, burning, or burial of man-made materials or materials then known to be environmentally hazardous.
- H. There shall be no posting to prohibit the public from accessing and using the Property or specified portions thereof for low-impact, non-wheeled, non-commercial, outdoor recreational purposes including hunting, fishing and trapping and the Grantee shall be under no duty to supervise said access, use, or purpose.

3. RESERVED RIGHTS

- A. Grantor reserves the right to withdraw from the Property an area of land for the purpose of constructing and maintaining not more than one single-family residence with customary accessory structures, improvements and utilities, including but not limited to a septic system, water well, driveway, and power and communication lines. Said area shall not exceed 5 acres in size, shall not be subdivided or sold separately from the Property. Said withdrawn area shall not be used for commercial or industrial purposes except agriculture or forestry as provided for in Section 2.A. above.
 - i. In order to withdraw the said area the Grantor must submit for Grantee's approval, which will not be unreasonably withheld, a survey plan prepared by a licensed surveyor, recordable at the County Registry of Deeds, locating and depicting said site as proposed to be withdrawn and developed, including the size and location of all structures, improvements, roads, driveways and utilities serving the same. Within thirty (30) days after Grantee's receipt of such submission the Grantee shall approve or disapprove the same and so inform the Grantor. Any disapproval shall specify in detail the reasons therefore. Grantee's failure to do so approve or disapprove within said period shall constitute an approval of the proposed exercise.
- B. Grantor reserves the right to install, repair, replace and maintain a driveway and utilities across the Property to serve the single-family residence when withdrawn pursuant to section 3.A., above. The location of said driveway and utilities to be shown on the survey plan required in section 3.A.i, above.
- C. Grantor reserves the right to establish, use and maintain snowmobile trails on the Property, along with any associated improvements including, but not limited to trails,

fences, bridges, culverts, so long as said use is only minimally detrimental to the Purposes of the Easement. Said right for snowmobile trails shall not include the construction of any buildings.

4. BENEFITS, BURDENS, AND ACCESS

- A. The burden of the Easement conveyed hereby shall run with the Property and shall be enforceable against all future owners and tenants in perpetuity; the benefits of this Easement shall not be appurtenant to any particular parcel of land but shall be in gross and assignable or transferable only to the State of New Hampshire, the U.S. Government, or any subdivision of either of them, consistent with Section 170(c)(1) of the U.S. Internal Revenue Code of 1986, as amended, or to any qualified organization within the meaning of Section 170(h)(3) of said Code, which organization has among its purposes the conservation and preservation of land and water areas and agrees to and is capable of enforcing the conservation purposes of this Easement. Any such assignee or transferee shall have like power of assignment or transfer.
- B. The Grantee shall have reasonable access to the Property and all of its parts for such inspection as is necessary to determine compliance with and to enforce this Easement and exercise the rights conveyed hereby and fulfill the responsibilities and carry out the duties assumed by the acceptance of this Easement.

5. BREACH OF EASEMENT

- A. When a breach of this Easement, or conduct by anyone inconsistent with this Easement, comes to the attention of the Grantee, it shall notify the Grantor in writing of such breach or conduct, delivered in hand or by certified mail, return receipt requested.
- B. The Grantor shall, within thirty (30) days after receipt of such notice or after otherwise learning of such breach or conduct, undertake those actions, including restoration, which are reasonably calculated to cure swiftly said breach, or to terminate said conduct, and to repair any damage. The Grantor shall promptly notify the Grantee of its actions taken under this section.
- C. If the Grantor fails to take such proper action under the preceding section, the Grantee shall, as appropriate to the purposes of this deed, undertake any actions that are reasonably necessary to cure such breach or to repair any damage in the Grantor's name or to terminate such conduct. The cost thereof, including the Grantee's expenses, court costs, and legal fees, shall be paid by the Grantor, provided that the Grantor is directly or primarily responsible for the breach.
- D. Nothing contained in this Easement shall be construed to entitle the Grantee to bring any action against the Grantor for any injury to or change in the Property resulting from causes beyond the Grantor's control, including, but not limited to, unauthorized actions by third parties, natural disasters such as fire, flood, storm, disease, infestation and earth

movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

- E. The Grantee and the Grantor reserve the right, separately or collectively, to pursue all legal remedies against any third party responsible for any actions detrimental to the conservation purposes of this Easement.

6. EXECUTORY INTEREST

- A. If the Grantee ceases to enforce the Easement conveyed hereby or fails to enforce it within thirty (30) days after receipt of written notice from the Society for the Protection of New Hampshire Forests requesting such enforcement delivered in hand or by certified mail, return receipt requested, then the Society for the Protection of New Hampshire Forests, as a specified assignee or transferee in Section 5 above (sometimes herein referred to as the "Executory Interest Holder"), shall have the right to enforce this Easement. All reasonable costs of such enforcement shall be paid by the Grantee. In such circumstance, the Society for the Protection of New Hampshire Forests shall then also have the right to terminate the interest of the Grantee in the Property by recording a notice to that effect in the Registry of Deeds referring hereto and shall thereupon assume and thereafter have all interests, rights, responsibilities and duties granted to and incumbent upon the Grantee in this Easement.
- B. The interests held by the Society for the Protection of New Hampshire Forests are assignable or transferable to any party qualified to become the Grantee's assignee or transferee as specified in Section 5.A. above. Any such assignee or transferee shall have like power of assignment or transfer.

7. NOTICES

All notices, requests and other communications, required to be given under this Easement shall be in writing, except as otherwise provided herein, and shall be delivered in hand or sent by certified mail, postage prepaid, return receipt requested to the appropriate address set forth above or at such other address as the Grantor or the Grantee may hereafter designate by notice given in accordance herewith. Notice shall be deemed to have been given when so delivered or so mailed.

8. SEVERABILITY

If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid by a court of competent jurisdiction, by confirmation of an arbitration award or otherwise, the remainder of the provisions of this Easement or the application of such provision to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

9. CONDEMNATION/EXTINGUISHMENT

- A. Whenever all or part of the Property is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate in whole or in part the Easement conveyed hereby, the Grantor and the Grantee shall thereupon act jointly to recover the full damages resulting from such taking with all incidental or direct damages and expenses incurred by them thereby to be paid out of the damages recovered.
- B. The balance of the land damages recovered (including, for purposes of this subsection, proceeds from any lawful sale, in lieu of condemnation, of the Property unencumbered by the restrictions hereunder) shall be divided between the Grantor and the Grantee in proportion to the fair market value, at the time of condemnation, of their respective interests in that part of the Property condemned. The values of the Grantor's and Grantee's interests shall be determined by an appraisal prepared by a qualified appraiser at the time of condemnation.
- C. The Grantee shall use its share of the proceeds in a manner consistent with and in furtherance of one or more of the conservation purposes set forth herein.

10. ADDITIONAL EASEMENT

Should the Grantor determine that the expressed purposes of this Easement could better be effectuated by the conveyance of an additional easement, the Grantor may execute an additional instrument to that effect, provided that the conservation purposes of this Easement are not diminished thereby and that a public agency or qualified organization described in Section 5.A., above, accepts and records the additional easement.

11. ARBITRATION OF DISPUTES

- A. Any dispute arising under this Easement shall be submitted to arbitration in accordance with New Hampshire RSA 542.
- B. The Grantor and the Grantee shall each choose an arbitrator within 30 days of written notice from either party. The arbitrators so chosen shall in turn choose a third arbitrator within 30 days of the selection of the second arbitrator.
- C. The arbitrators so chosen shall forthwith set as early a hearing date as is practicable which they may postpone only for good cause shown.
- D. A decision by two of the three arbitrators, made as soon as practicable after submission of the dispute, shall be binding upon the parties and shall be enforceable as part of this Easement.

12. MERGER

The Grantor and Grantee explicitly agree that it is their express intent, forming a part of the consideration hereunder, that the provisions of the Easement set forth herein are to last in

perpetuity, and that to that end no purchase or transfer of the underlying fee interest in the Property by or to the Grantee or any successor or assign shall be deemed to eliminate the Easement, or any portion thereof, granted hereunder under the doctrine of "merger" or any other legal doctrine.

13. CONTINUING OPTION TO PURCHASE, TAXES, MAINTENANCE

The Grantor (Sullivan County, hereafter "the County") hereby grants to the Grantee (Town of Unity, hereafter "the Town") the continuing option to purchase the Property whereby the Town shall notify the County of the Town's intent to exercise said option within thirty (30) days after receiving notice from the County that the County intends to accept a bona fide third-party offer for the Property. The Town must purchase the Property on exercise of said option at the price of and on terms no less onerous than said third party offer, and the Town must complete such purchase under the option before the thirtieth (30th) day following the next regularly scheduled Town Meeting of the Town subsequent to the County's receipt of the Town's timely notice of intent to the County. If the Town fails to so notify the County of the Town's intent to exercise said option or, having timely notified the County of such intent to exercise the option, fails to so complete the purchase under this option, the County may within three (3) months of the occurrence of the first of such failures sell the Property free and clear of the option granted hereby to anyone but at a price no less and on conditions no less onerous than those contained in said bona fide third-party offer. Thereafter, if the County has not so sold the Property, the County shall not sell or transfer the Property without giving the Town the opportunity to exercise its continuing option in the manner and on the terms and conditions set forth above.

14. APPROVAL BY COUNTY DELEGATION

The County Delegation at a duly noticed meeting held on _____
Approved the granting of the within Conservation Easement, by _____
vote to the Grantee and authorized the Sullivan County Commissioners to execute the within
Conservation Easement on behalf of the County of Sullivan.

The Grantee, by accepting and recording this Easement, agrees to be bound by and to observe and enforce the provisions hereof and assumes the rights and responsibilities herein granted to and incumbent upon the Grantee, all in the furtherance of the conservation purposes for which this Easement is delivered.

IN WITNESS WHEREOF, We have hereunto set our hands this _____ day
of _____, 2008.

Sullivan County Commissioners

By: _____

Title: _____
Duly Authorized

Date: _____

By: _____

Title: _____
Duly Authorized

Date: _____

By: _____

Title: _____
Duly Authorized

Date: _____

The State of New Hampshire

County of Sullivan

Personally appeared _____ and

_____ of County of Sullivan, this _____ day of _____, 2008
and acknowledged the foregoing on behalf of County of Sullivan.

Before me, _____
Justice of the Peace/Notary Public

My commission expires: _____

ACCEPTED: TOWN OF UNITY

By: _____

Title: _____
Duly Authorized

Date: _____

By: _____

Title: _____
Duly Authorized

Date: _____

By: _____

Title: _____
Duly Authorized

Date: _____

The State of New Hampshire
County of Sullivan

Personally appeared _____
Name & Title

of the Town of Unity Board of Selectmen, this _____ day of _____, 2008 and
acknowledged the foregoing on behalf of the Town of Webster.

Before me, _____
Justice of the Peace/Notary Public

My commission expires: _____

ACCEPTED: SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS

By: _____

Title: _____
Duly Authorized

Date: _____

The State of New Hampshire
County of Merrimack

Personally appeared _____
Title

of the Society for the Protection of New Hampshire Forests, this _____ day of _____, 2008 and
acknowledged the foregoing on behalf of the Society for the Protection of New Hampshire
Forests.

Before me, _____
Justice of the Peace/Notary Public

My commission expires: _____

APPENDIX A

The "Property" subject to this Easement, containing 258.4 acres, more or less, located on Judkins Road in the Town of Unity, County of Sullivan, State of New Hampshire, more particularly bounded and described;

A certain tract or parcel of land situated in Unity in said County of Sullivan and bounded and described as follows: Beginning at a stone bound set in the ground on the north side of the highway which leads from the County Alms House by the house formerly occupied by David Smith and later by Hattie A. Judkins, deceased, to North Charlestown and on the west side of an old highway at the intersection with the highway above described, said old highway being the same formerly lead to the home J. Monroe Judkins, said bound being further described as standing at the southeast corner of land formerly owned by John Fifield, later by Frank C. Kelsey and now by the heirs of Charles M. Chase, said bound being on the west side of the herein described tract, thence running northerly on the land of the heirs of Charles M. Chase, formerly land of Frank C. Kelsey about one mile to the Unity Town line, thence running easterly on said town line, land of Henry H. Merritt, formerly land of Alice W. Nichols to a stone wall on the east side of said tract, to land of said Merritt formerly land of said Nichols, thence running southerly on line of land of said Merritt formerly land of said Nichols to a stone bound standing on the north side of the highway which leads from the said County Almshouse by the house formerly occupied by David Smith and later by Hattie A. Judkins, deceased, to North Charlestown, thence crossing said highway and running in an easterly direction along the south side of said last described highway to a stone bound set in the ground at the northwest corner of land of William H. Whittemore, thence running southerly on land of said Whittemore land of Russell K. Hall and land of Ernest E. Whittemore to land of John Delaurier formerly land of Charles F. Rumrill, thence running westerly on land of said Delaurier formerly land of said Rumrill to land formerly deeded by Jerusha Smith to Alice W. Nichols by deed dated October 9th, 1889, and recorded in Vol. 129, Page 492, of Sullivan County Records of Deeds, thence running in a southerly direction on land of said Delaurier formerly land of said Rumrill to land of F. H. Britton formerly land of Jabez Perkins, thence running in a westerly direction on land of said Britton to said tract of land formerly deeded by Jerusha Smith to Alice W. Nichols by deed dated October 9th, 1889, and recorded in Vol. 129, Page 492, of Sullivan County Records of Deeds, thence running in a southerly direction on land of said Britton to a stone bound set in the ground on the north side of the highway leading from the home of said John Delaurier formerly land of Charles F. Rumrill to the George LaClair place, thence running in a westerly direction on said highway to land of said George LaClair, formerly land of George A. Colburn, to a stone bound set in the ground, thence running in a northerly direction on land of said George LaClair to the highway first above mentioned, thence crossing said highway and running northerly on the westerly side of said highway and along the easterly side of other land of said LaClair and crossing the highway leading to North Charlestown to the stone bound set in the ground at the place of beginning, containing three hundred acres, be the same more or less.

Subject to the following:

1. Any and all highways over said premises so far as the public rights are concerned.
2. Subject to Current Use Taxation in favor of the Town of Unity;
3. Subject to a 40 foot wide utility line easement in favor of Connecticut Valley Electric Co., Inc. dated July 28, 1971 and recorded at Book 425, Page 536 in said Registry, as the same may affect the subject property.

MEANING AND INTENDING to describe all and the same premises conveyed to the County of Sullivan by deed of Clarence R. Judkins and Elsie M. Judkins, dated March 10, 1921, and recorded in Sullivan County Registry of Deeds at Book 205 Page 460.

APPENDIX B.1

Note: This report includes only the selection criteria listed below.
 Effective Date: From 02/01/2008 Thru 02/29/2008

Summary Admission / Discharge List

Sullivan County Health Care (SC)

Page 1 of 1
 3/14/2008 1:44PM
 RI6300B

<i>A/R Type</i>	<i>From/To</i>	<i>Admissions</i>	<i>Discharges</i>
MCD	Expired		4
	Hospital	<u>2</u>	<u>3</u>
	<i>Subtotal</i>	<u>2</u>	<u>7</u>
MRA	Home	1	2
	Hospital	<u>5</u>	
	<i>Subtotal</i>	<u>6</u>	<u>2</u>
PVT	Expired		1
	Home	<u>2</u>	<u>1</u>
	<i>Subtotal</i>	<u>2</u>	<u>2</u>
<i>Total</i>		<u>10</u>	<u>11</u>

APPENDIX B.2

Note: This report includes only the selection criteria listed below.

Effective Date: From 02/01/2008 Thru 02/29/2008

Summary Admission / Discharge List Totals

Sullivan County Health Care (SC)

Page 1 of 1

3/14/2008 1:44PM

RI6300C

<i>Total From/To</i>	<i>Admissions</i>	<i>Discharges</i>
Expired		5
Home	3	3
Hospital	7	3
<i>Total</i>	<u>10</u>	<u>11</u>

Note: This report includes only the selection criteria listed below.

Effective Date: From 07/01/2007 Thru 02/29/2008

Summary Admission / Discharge List

Sullivan County Health Care (SC)

Page 1 of 1

3/14/2008 1:44PM

RI6300B

<i>A/R Type</i>	<i>From/To</i>	<i>Admissions</i>	<i>Discharges</i>
HCB	Home	2	2
	<i>Subtotal</i>	<u>2</u>	<u>2</u>
INS	Unknown	1	
	<i>Subtotal</i>	<u>1</u>	
MCD	Unknown	2	
	FH		1
	Assisted Living	2	
	Expired		24
	Home	3	1
	Hospital	5	21
	Nursing Home	2	2
	<i>Subtotal</i>	<u>14</u>	<u>49</u>
MCP	Unknown	1	
	Assisted Living	1	
	Expired		1
	Hospital		1
	<i>Subtotal</i>	<u>2</u>	<u>2</u>
MRA	Unknown	8	
	HS	2	
	Assisted Living		1
	Expired		5
	Home	2	17
	Hospital	51	6
	Nursing Home	1	1
	<i>Subtotal</i>	<u>64</u>	<u>30</u>
PVT	Unknown	4	
	Assisted Living	2	2
	Expired		5
	Home	4	9
	Hospital	3	2
	Nursing Home	1	
	<i>Subtotal</i>	<u>14</u>	<u>18</u>
	<i>Total</i>	<u><u>97</u></u>	<u><u>101</u></u>

APPENDIX B.4

Note: This report includes only the selection criteria listed below.

Effective Date: From 07/01/2007 Thru 02/29/2008

Summary Admission / Discharge List Totals

Sullivan County Health Care (SC)

Page 1 of 1

3/14/2008 1:44PM

RI6300C

<i>Total From/To</i>	<i>Admissions</i>	<i>Discharges</i>
Unknown	16	
FH		1
HS	2	
Assisted Living	5	3
Expired		35
Home	11	29
Hospital	59	30
Nursing Home	4	3
<i>Total</i>	<u>97</u>	<u>101</u>

FEBRUARY 2008

MEDICARE							
	FEBRUARY 2007 COMPARE	FEB 07 AVG. CENSUS	ACTUAL	AVG DAILY CENSUS	BUDGETED	BUDGETED AVG CENSUS	VARIANCE
CENSUS:	568	20	341	12	551	19	-210
REVENUE	\$241,781.10		\$170,219.00		\$228,665.00		-\$58,446.00
AVERAGE RATE PER DAY	\$425.67		\$499.18		\$415.00		\$84.18

PRIVATE							
	FEBRUARY 2007 COMPARE	FEB 07 AVG. CENSUS	ACTUAL	AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	492	18	588	20	580	20	8
REVENUE	\$96,120.00		\$116,400.00		\$113,100.00		\$3,300.00
AVERAGE RATE PER DAY	\$195.37		\$197.96		\$195.00		\$2.96

MEDICAID							
	FEBRUARY 2007 COMPARE	FEB 07 AVG. CENSUS	ACTUAL	AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	3083	110	2,943	101	3,277	113	-334
REVENUE	\$457,533.20		\$444,128.13		\$486,372.34		-\$42,244.21
AVERAGE RATE PER DAY	\$148.41		\$150.91		\$148.42		\$2.49

HCBC (RESPITE)							
	FEBRUARY 2007 COMPARE	FEB 07 AVG. CENSUS	ACTUAL	AVG DAILY CENSUS	BUDGETED		VARIANCE
CENSUS:	7	.2	0	0	31	1	-31
REVENUE	\$1,055.04		\$0.00		\$4,672.32		-\$4,672.32
AVERAGE RATE PER DAY	\$150.72		\$0.00		\$150.72		-\$150.72

Sullivan County Nursing Home
Quarterly Resident Census

	TOTAL DAYS	MEDICAID		PRIVATE		SKILLED		HCBC		MANAGED		LEAVE		TOTAL DAYS	
	AVAILABLE	DAYS		DAYS		DAYS		RESPITE		CARE		DAYS		FILLED	
Jul-07	4836	3374	80.70%	524	12.53%	283	6.77%	0	0.00%	0	0.00%	0	0.00%	4181	86.46%
Aug-07	4836	3296	82.38%	467	11.67%	235	5.87%	3	0.07%	0	0.00%	0	0.00%	4001	82.73%
Sep-07	4680	3153	79.02%	498	12.48%	336	8.42%	3	0.08%	0	0.00%	0	0.00%	3990	85.26%
1ST QUARTER	14,352	9,823	80.70%	1,489	12.23%	854	7.02%	6	0.05%	0	0.00%	0	0.00%	12,172	84.82%
Oct-07	4836	3205	75.18%	575	13.49%	461	10.81%	9	0.21%	13	0.30%	0	0.00%	4263	88.15%
Nov-07	4680	2961	75.15%	485	12.31%	491	12.46%	0	0.00%	0	0.00%	3	0.08%	3940	84.19%
Dec-07	4836	3107	75.97%	500	12.22%	483	11.81%	0	0.00%	0	0.00%	0	0.00%	4090	84.57%
2ND QUARTER	14,352	9,273	75.43%	1,560	12.67%	1435	11.70%	9	0.07%	13	0.10%	3	0.03%	12,293	85.64%
Jan-08	4836	3161	76.48%	582	14.08%	390	9.44%	0	0.00%	0	0.00%	0	0.00%	4133	85.46%
Feb-08	4524	2943	76.01%	588	15.19%	341	8.81%	0	0.00%	0	0.00%	0	0.00%	3872	85.59%
Mar-08	4836	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0.00%
3RD QUARTER	14,196	6,104	#DIV/0!	1,170	#DIV/0!	731	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	8,005	57.02%
Apr-08	4680	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0.00%
May-08	4836	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0.00%
Jun-08	4680	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0.00%
4TH QUARTER	14,196	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0.00%
FY '08 TOTAL	57,096	25,200	44%	4,219	7.39%	3,020	5.29%	15	0.03%	13	0.02%	3	0.01%	32,470	56.87%

RESIDENT CENSUS - FY 07

	TOTAL DAYS	MEDICAID		PRIVATE		SKILLED		HCBC		PRIVATE		LEAVE		TOTAL DAYS	
	AVAILABLE	DAYS		DAYS		DAYS		RESPITE		RESPITE		DAYS		FILLED	
1ST QUARTER	14,352	10,559	77.71%	1,938	14.27%	966	7.11%	124	0.91%	0	0.00%	0	0.00%	13,587	94.68%
2ND QUARTER	14,352	10,586	77.02%	1,765	12.83%	1347	9.80%	50	0.36%	0	0.00%	21	0.15%	13,748	95.79%
3RD QUARTER	14,040	10,179	75.89%	1,532	11.46%	1666	12.48%	22	0.17%	0	0.00%	7	0.05%	13,399	95.42%
4TH QUARTER	14,196	10,570	79.34%	1,757	13.21%	908	6.79%	57	0.42%	32	0.25%	5	0.04%	13,324	93.83%
FY '07 TOTAL	56,940	41,894	74.00%	6,992	12.28%	4887	8.58%	253	0.44%	32	0.06%	33	0.06%	54,058	94.94%

Medicare Length of Stay Analysis

Sullivan County Health Care (SC)

Page 1 of 1
3/14/2008 1:47 PM
AR7400A

	Feb 2008	Jan 2008	Dec 2007	Nov 2007	Oct 2007	Sep 2007	Aug 2007	Jul 2007	Jun 2007	May 2007	Apr 2007	Mar 2007	12 Mos.	Calendar YTD
Total Admits & Readmits (All payer types)	10	15	11	16	17	10	12	6	7	13	13	15	145	25
MCR # Admits & Readmits	6	11	7	10	13	5	7	5	6	8	10	11	99	17
MCR # Discharges from facility	2	6	4	5	8	1	1	2	7	7	5	7	55	8
MCR Discharged LOS	37.5	21.5	31.8	11.4	24.1	18.0	1.0	25.0	37.9	29.7	32.8	28.7	27.0	25.5
MCR # End or A/R Change	4	7	4	4	3	3	4	1	1	6	3	9	49	11
MCR End or A/R Change LOS	55.5	85.3	65.8	45.0	100.0	70.3	35.5	89.0	14.0	65.8	86.7	41.0	62.1	74.5
Total Average MCR LOS	49.5	55.8	48.8	26.3	44.8	57.3	28.6	46.3	34.9	47.8	53.0	35.6	43.7	53.8
Total MCR Days	341	390	485	491	461	336	235	283	221	349	338	539	4469	731
Rehab RUGs	276	278	400	425	384	243	131	211	168	324	225	293	3358	554
% of Total MCR Days	81%	71%	83%	87%	83%	72%	56%	75%	76%	93%	67%	54%	75%	76%
Non-Rehab RUGs	65	112	83	66	77	93	104	72	53	25	112	238	1100	177
% of Total MCR Days	19%	29%	17%	13%	17%	28%	44%	25%	24%	7%	33%	44%	25%	24%
Default Days											1	8	9	
% of Total MCR Days												1%		
A ADL (low dependency)	64	74	99	77	152	133	117	50	21	56	106	194	1143	138
% of Total MCR Days	19%	19%	20%	16%	33%	40%	50%	18%	10%	16%	31%	37%	26%	19%
B ADL (medium dependency)	78	140	176	220	132	82	12	98	130	139	66	191	1464	218
% of Total MCR Days	23%	36%	36%	45%	29%	24%	5%	35%	59%	40%	20%	36%	33%	30%
C ADL (high dependency)	199	176	208	194	177	121	106	135	70	154	165	146	1851	375
% of Total MCR Days	58%	45%	43%	40%	38%	36%	45%	48%	32%	44%	49%	27%	42%	51%
Medicare Net Revenue	\$170,219	\$171,018	\$217,396	\$227,597	\$215,021	\$137,144	\$80,257	\$115,581	\$97,204	\$165,122	\$134,781	\$197,062	\$1,928,403	\$341,238

APPENDIX B.7

APPENDIX C

To: Superintendent Cunningham
From: Lt. Roberts
Ref: Population breakdown

Tuesday March 18, 2008

POPULATION DATA:

House of Corrections

Male – 43
 Female – 6

THU

Male- 16
 Female- 0

Total Population (In House) – 92

Home Confinement

Male – 4
 Female – 2

NHSP

Male – 3
 Female – 2

Hillsborough County
 Admin Transfer

Male – 4
 Female – 0

Friendship House/First Step
 Male- 1
 Female-1

Total Census – 115

Temp Hold for other jurisdictions

Hillsborough County
 Male-0
 Female- 0

Pre-Trial Inmates

Male – 35
 Female – 7

Weekender

Male - 1
 Female - 0

Grafton County
 Admin Transfer
 Male – 2
 Female – 0

Phoenix House

Male – 0
 Female – 1

Protective Custody

Male - 1
 Female - 0

Cheshire County
 Admin Transfer
 Male - 1
 Female – 1

Strafford County
 Admin Transfer

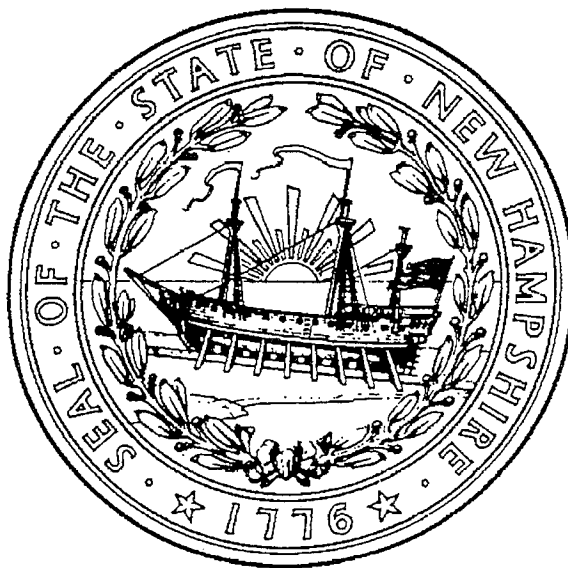
Male- 0
 Female-0

Pre Trial Services

Male- 15
 Female- 17

NHSP
 Male- 2
 Female- 0

State of New Hampshire
Strategic Plan
for the
Justice - One Network Environment (J-One)



October 2007

Executive Summary

The J-One is a criminal justice information exchange project in the state of New Hampshire. Overall the project will substantially improve our ability to track a particular offender from arrest/summons through completion of all requirements of a resulting sentence. We define the success of the J-One project as the ability of the criminal justice community partners connected to the state secure telecommunications network to exchange criminal complaint, dispositions, electronic bench warrants, and protective orders in order to limit the rekeying of data. While other functionality may be desirable without these key components the system would provide limited value. We include in our definition of success the development of a Master Name Index and the automation of information exchange between the Automated Fingerprint Identification System and the criminal justice community partners connected to the state secure telecommunications network. Other issues that must be addressed in order to consider the project a success include developing a Uniform Charge Database, developing a solution to generate routine and ad hoc statistical data, and resolving inconsistencies between the Operational J-One and its Legislative Mandate.

Background

In June of 2001, the State of New Hampshire initiated a formal project to create an automated criminal justice information system integrating the computer systems and data of a variety of state, county and municipal law enforcement entities. The system, once operational, would take information from one information system and deliver it to one or more criminal justice information systems. The digital system would not replace the paper based system that is the core of the criminal justice system in New Hampshire. Instead, data exchange would substantially cut down on the time people spend manually rekeying data from one records management system into another. Data exchange will also help reduce errors that occur during rekeying. Further, an integrated data system will help increase likelihood that two events occurring in different areas of the overall criminal justice system, i.e. an arrest and victim restitution through probation are connected. This project, the One Network Environment for Justice is usually referred to by its acronym: J-One.

Many criminal justice information activities require substantial production and reproduction of paper materials. For example, the data used to produce criminal complaints is keyed into a records management system by police departments. When the complaint is sent from a police agency to the courts, it must be printed and duplicated. When the complaint gets to the courts it must be rekeyed into the court's records management system. At the time of the J-One's conception simple queries for information on criminal suspects needed to be keyed into multiple screens on computer terminals. The ultimate goal of the J-One is a functional integrated system for sharing criminal justice information among state and local criminal justice agencies.

Criminal justice agencies that will benefit from J-One will include the law enforcement agencies serving the 234 cities and towns in New Hampshire, the 10 county Sheriffs, the 10 county Departments of Corrections, the New Hampshire Department of Safety (including the State Police, the Division of Motor

State of New Hampshire Strategic Plan for the Justice - One Network Environment (J-One)

Vehicles and the Criminal Records bureau), the Department of Corrections, the Department of Justice, and the State's judicial branch (Administrative Office of the Courts, Supreme, Superior, and District Courts).

The legislative parameters of the J-One are outlined in New Hampshire RSA 106K.¹ Section 106-K outlines the basic design, implementation, and operational requirements for system. The statute addresses data confidentiality and establishes criminal penalties for unauthorized access. The New Hampshire Criminal Justice Information System board, led by the Commissioner of Safety provides oversight for the project. Members include law enforcement, judicial branch, civil liberties advocates, legislators, and academia.

From 2001 to 2005 progress on the J-One project was consistent. Funding was secured, a logical design and proof of concept were conceived, and a pilot and initial production roll out occurred across the state. Thirty three organizations became partners in the J-One project by pledging to interface their information systems via the J-One.

The full potential of the project, however, was not achieved. The Administrative Office of the Courts (AOC), Department of Corrections (DOC), and county corrections facilities did not connect to the J-One system. At the time the AOC and DOC were transitioning to new case management systems. Without these organizations' participation the J-One is essentially a bridge to nowhere. Police agencies would send criminal complaints into the J-one system but they would never reach the courts. Without a connection between police departments and the courts electronic copies of dispositions are not available to the police agencies that sent them in the first place. Manual rekeying of data available electronically continues to this day at great cost to the citizens of New Hampshire. The complexity and expense of establishing a correlation between data in the different systems also significantly inhibits New Hampshire's ability to analyze crime, sentencing, and corrections data leaving those who set policy and establish budgets with a limited understanding of how well different components of New Hampshire's criminal justice system are performing.

Due to a number of organizational and contracting issues little progress has been made on the project since 2005. Project inactivity has resulted in a number of immediate issues.

- Project participants are frustrated and do not see value in the current system.
- Overall perception of the project and the ability for it to succeed is low.
- The time available to access existing grant funds for the project is closing.
- Upgrades to criminal justice information systems across New Hampshire have progressed faster than J-One rendering components of the original planning obsolete.

¹ The full text of this statute is available from the New Hampshire government web site at URL <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-VII-106-K.htm>.

To address these issues the Commissioner of Safety asked the University of New Hampshire Justiceworks team to assume overall project management of the J-One project. Following this transition the J-One's existing infrastructure and available funding were immediately assessed. Following these actions a one-day strategic planning meeting was held for J-One stakeholders. The most critical functions and priorities for the J-One project were identified. This strategic plan represents the combined input of the J-One stakeholders and presents a blueprint to move the project forward.

Current J-One Status

At its core the J-One is a messaging system. To provide value the messages must be delivered. The J-One infrastructure currently accepts messages from a number of police agencies but cannot deliver them to their destinations because they are not connected to the J-One system. Above all else, the capability to deliver messages must be achieved, or the J-One project has failed.

Strategic Priorities

The following list of strategic priorities for the J-One represents the consensus of J-One Criminal Justice Information System board members and other key stakeholders.

1. Exchange information between law enforcement agencies and the Administrative Office of the Courts via J-One

The two most critical actions for J-One over the next 12 months involve the AOC. If the issues surrounding the exchange of information between law enforcement agencies and the AOC via J-One can be solved the project will begin to provide value to participating members and greatly enhance public safety.

Complaints – High Priority

Police and or prosecutorial agencies send criminal complaints to the courts in order to begin criminal proceedings. Using J-One police will be able to send complaint data electronically to the AOC records management system. The AOC records management system is called Odyssey. At this time there is no information exchange between the J-One and Odyssey. In order to start exchanging data J-One staff will work with the Odyssey developer to open access to the J-One. Once information sharing is enabled the courts will be able to use data from the J-One instead of rekeying it from paper complaints. Once a digital complaint is reviewed, accepted, and populated into Odyssey. A copy of the complaint, appended with AOC case number, chargeID, and filing date will be sent back to the originating agency and the Criminal History Record Information (CHRI) database via J-One. CHRI personnel will be able to review the information and update the CHRI repository without re-keying the information by hand as is done currently. Odyssey sending a copy of the complaint back to the originating agency and the CHRI is currently not supported by J-One. The J-One XML schema must be revised to support this functionality.

Dispositions – High Priority

Once a criminal proceeding has been completed the AOC will send an electronic copy of the disposition data to the agency where the charge originated, the appropriate department of corrections, and the CHRI via J-One. Odyssey is currently configured to mimic the sentencing as it was programmed in the old AOC case management system (SUSTAIN) which is not the optimal configuration. The AOC needs to analyze and redesign their sentencing process to facilitate broad information sharing across the J-One system and program it into Odyssey. Over the long run AOC will review each request for a new RSA before adding it to Odyssey so a complete “database” as it exists today is created. In the interim summary disposition data could be exchanged (guilty, not guilty, prison/jail and other fundamental information that would be helpful). Solutions for how to handle charges after reverse on appeal, while under appeal, probation violation and other resentencing issues must be developed.

Bench Warrants – High Priority

As the AOC transitions its courts from the old Court Management System (CMS) to Odyssey a key information exchange function is lost. Odyssey is not able to exchange bench warrant data electronically with the Department of Safety warrant database that is accessible to the police. In the interim the AOC is keying the information into the warrant database by hand expending substantial resources. This situation will be corrected by enabling information exchange between Odyssey and J-One. Once digital warrant information is available to go into the J-One from Odyssey technical work will be required to ensure the Department of Safety warrant database can process the information and send a confirmation back to Odyssey. Once the warrant has been successfully executed its status in the warrant database must be changed and criminal justice organizations notified. The Department of Safety warrant database must be able to deliver to Odyssey a complete record of the bench warrants on file for validation purposes.

Scheduling information – Low Priority

Once the AOC can exchange information with other entities via J-One the potential to distribute case scheduling, information on court hearings, and prisoner transportation may be possible. The user requirements for this functionality have been developed however technical resources will be required to enable this functionality.

2. Exchange information between the Department of Corrections, County corrections, and the Administrative Office of the Courts via J-One

Dispositions for use by the Department of Corrections and County Corrections – High Priority

The Department of Corrections and county corrections agencies will use digital disposition data from the AOC to improve the efficiency of their activities. Dispositions are currently delivered via mail. Paper dispositions may be lost, misplaced, or delivered in an unacceptable timeframe. The paper dispositions

are rekeyed into corrections records management systems. This process takes time and is inefficient. The Department of Corrections records management system, called CORIS, is ready to accept digital disposition data from the AOC via J-One. County corrections records management systems should be able to receive digital disposition with some technical work from developers. These systems should be configured so they may exchange information with other criminal justice agencies via J-One.

Pre-Sentencing Investigations – Low Priority

The AOC requests pre-sentencing investigations from corrections officials. Once J-One enables information exchange between corrections RMS and the AOC the results of pre-sentencing investigations may be sent to the AOC digitally. The user requirements for this functionality will need to be defined. Technical resources will be required to enable this functionality.

3. Increase the number of criminal justice organizations exchanging information via J-One

Add County Sheriffs, County Corrections, and Police Agencies to J-One – High Priority

Once J-One information exchange is functioning to and from the AOC resources will be used to increase the number of criminal justice organizations using the J-One. This is seen as the third highest priority for J-One stakeholders. Additional agencies using the system will deliver two key benefits. First, the transfer of data digitally will substantially decrease the rekeying of data across the criminal justice system. Second, as additional J-One functions are developed law enforcement will have seamless access to information that may improve the overall function of the criminal justice system.

4. Develop Additional J-One Functionality

Master Name Index – High Priority

The J-One stakeholders see the development of a Master Name Index as the fourth highest project priority. The J-One is legislatively mandated to create a Master Name Index that is for on-going criminal investigation. The master name index shall serve as a pointer system, enabling authorized users to determine which, if any, member agencies have information relating to a specific individual that the agency is willing to share.² The data contained in the index shall be provided by law enforcement agencies on a voluntary basis, and shall consist of the following only: the individual's name, date of birth if known, known aliases, the contributing law enforcement agency, the agency case number, and the

² The information in this paragraph is paraphrased from the original text for New Hampshire Statutes TITLE VII: SHERIFFS, CONSTABLES, AND POLICE OFFICERS CHAPTER 106-K: CRIMINAL JUSTICE INFORMATION SYSTEM available at URL <http://www.gencourt.state.nh.us/rsa/html/VII/106-K/106-K-mrg.htm>.

associated crime. The master name index shall not include the names of individuals who were witnesses to, or victims of the identified crime, nor shall it include non-criminal complainants. The master name index shall be maintained separately from the database for criminal justice information. A query in the master name index shall not enable the user to access the criminal justice information database. There shall be an audit trail for each query and for each entry of a name into the index. J-One shall, on a monthly basis, expunge from the master name index any name that has had no activity for 5 years. The development of this capability will provide law enforcement a helpful new tool for identifying statewide criminal activity. A logical design for this functionality has been developed however planning and technical resources will be required to develop this functionality.

Protective Order System Upgrades – High Priority

New Hampshire currently has a functional protective order system that uses manual data entry and a fax-back system. The fax-back system facilitates the distribution of the protective order to all law enforcement in the state as well as out of state parties via the State Police. The AOC case management system, Odyssey, will need to be developed to capture and manage the protective orders. A procedure will need to be developed for emergency protective orders that are received via telephone. A form will need to be developed for judges to help generate digital protective orders. It would be useful to have the protective orders available in a common format such as PDF for easy dissemination. The existing fax-back server may be replaced by a new version that includes electronic information exchange features. The AOC will need to review all protective orders for use in the J-One system. The J-One will accept the protective orders and forward them to National Crime Information Center, State Police, or Gunline database. Procedures to ensure that protective orders expire automatically and that J-One can handle removals must be developed. The user requirements for this functionality must be revisited. Technical resources will be required to enable this functionality.

Bail Order System– Low Priority

Bail is set in many locations. For example, a Bail Commissioner may set bail at a police department at time of arrest or bail may be set in a courtroom by a judge. It would be useful to capture bail data electronically so it could be exchanged via J-One. The development of a business process to capture and exchange information will require significant business process work by the AOC. The user requirements for this functionality must be revisited. Technical resources will be required to enable this functionality.

Fingerprint Data – High Priority

Currently data is entered into the CHRI database manually from some police department's paper 10-print cards. Manual input has resulted in lag time between when the fingerprints are taken and when the information is keyed into the CHRI. The state's Automated Fingerprint Identification System (AFIS) could provide digital information via J-One that would help limit the data that needs to be hand keyed. A technical solution will be developed to generate a text RAP SHEET from AFIS data and deliver it to the CHRI and originating agency electronically.

5. Resolve Statewide Criminal Justice Information System Issues

Uniform Charge Database – High Priority

J-One stakeholders call for the development of a Uniform Charge Database (UCD). The UCD would standardize charges for all members of the criminal justice community in New Hampshire. The UCD may include a major charge, a minor charge, RSA number, and associated NIBRS code. Considerable granularity will be required in order to capture useful statistical data over the long run. J-One stakeholders recommend that a single entity or collaborative group oversee the development of the UCD and develop a control process for future changes to ensure consistency. Development of a UCD would promote consistency in justice information exchange and could serve as J-One validation data. Further the UCD would provide substantial value when J-One is able to provide data for analysis of criminal justice system issues in the state.

Statistical Data – High Priority

The J-One is legislatively mandated to facilitate public access to sanitized criminal justice data for statistical purposes. Once the J-One is functioning a strategy will need to be developed for gathering statistical data. This effort is complicated as the original J-One design called for a central repository that could be queried and the data sanitized for publication. Since the design was conceived the technologies delivering criminal justice information in New Hampshire have evolved rapidly. As a result no centralized repository is required. Further, until the Uniform Charge Database is developed it may be difficult to gather granular information to fully meet research and decision making needs. The costs associated with sanitizing the data are unknown. A technical solution will need to be developed to run regular and ad hoc queries of the criminal justice systems sharing data via J-One, sanitize the data, and make it available in a useable format.

Develop a Statewide Fingerprint Policy – Low Priority

Some police departments and corrections agencies in New Hampshire do not fingerprint individuals that are arrested. While technical issues have impacted the use of the Automated Fingerprint Identification Systems around the state LiveScan machines are currently in all 10 houses of correction, the state prison, and over a dozen major police departments. Fingerprinting individuals is critical for the submission of criminal history information to the National Crime Information Center. Without fingerprint data an FBI RAP SHEET cannot be submitted. The J-One stakeholders support the development of a statewide mandatory fingerprint policy. Ongoing training and the use of LiveScan AFIS machines will substantially change the amount of data that needs to be keyed.

Paper Reduction Strategy – Low Priority

The J-One system does not replace the paper based system that is the core of the criminal justice system in New Hampshire. Instead, once operational, it will substantially cut down on the time people spend manually rekeying data from one records management system into another. The exchange of data may also greatly reduce the errors made by rekeying. If successful the sharing of information may result in

substantial cost savings as resources used for repetitive manual activities, like rekeying data, can be transitioned to other priorities by criminal justice leaders. A process to evaluate and make recommendations on how to save paper could result in substantial savings for criminal justice agencies over the long run.

6. Resolve Long-Term Funding Issues for J-One

Review J-One for performance, efficiency, and cost saving opportunities – High Priority

As of this writing the J-One system was conceived and designed over five years ago. The technologies available for accomplishing the user requirements have evolved significantly since 2002. As major components of the system are yet to be developed the project management team will oversee a process to reevaluate the infrastructure of the J-One project and make recommendation on changes and enhancements that may result in performance, efficiency, and cost saving opportunities.

Perform a long term cost of operation analysis – High Priority

While cost savings and organizational efficiencies are predicted to result from an operational J-One no empirical study has been conducted to determine the actual impact. Such a study is critical for budgetary planning once existing grant funding is expended. The project managers will oversee a process to develop and a long term cost of operation analysis and present it to the J-One board.

7. Resolve Inconsistencies between the Operational J-One and its Legislative Mandate

Identify inconsistencies and develop a resolution process – High Priority

Changes in the technologies available to accomplish the J-One user requirements are impacting the regulations that govern its operation. For example, the original J-One logical design calls for a central repository. This information warehouse would house information that could not be retrieved from the AOC or DOC at that time. As outlined in this plan both the AOC and DOC have developed advanced records management systems that are ready to exchange information via J-One. The J-One project managers will work with the J-One board and Department of Justice to review the systems legislative mandate and develop a resolution process.